

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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HERMA ROBINSON,

Plaintiff,

v.

ZURICH AMERICAN INSURANCE COMPANY, and
JENNIFER ROBBIE aider and abettor,

Defendants.
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No. 10-CIV-3926 (JFB) (AKT)

**DECLARATION OF
CATHERINE SPERA**

I, **CATHERINE SPERA**, being duly sworn, declare under penalty of perjury that the foregoing is true and correct:


1. I am currently employed as the Northeast Regional Human Resources Business Partner for Zurich American Insurance Company ("Zurich"). I am fully familiar with the facts set forth in this Declaration, which I offer in further support of Defendants' Motion for Summary Judgment.

2. It is my understanding that Plaintiff claimed that she was the oldest employee reporting to Jennifer Robbie and that in paragraph 7 of her Declaration, she identified the employees reporting to Robbie. I have reviewed Zurich's employee records, which are maintained by the Human Resources Department. These records reveal that, at the time Plaintiff reported to Jennifer Robbie, there were two employees other than Plaintiff, Connie Shyrock and Deborah Conley, who, like Plaintiff were born in 1952. Ms. Shyrock is five months older than Plaintiff and Ms. Conley is two months younger than Plaintiff.

3. In addition, Karen Pruden, another employee who reported to Robbie at that time, was fifty years old at the time of Plaintiff's termination. Further, James Cribbins and Karen Horwich were both over the age of forty.

4. I also understand that Plaintiff alleged that White employees were not disciplined for the types of conduct for which she was disciplined. I have also accessed Ms. Conley and Ms. Pruden's personnel files. Both of these employees received a verbal warning from Ms. Robbie. Ms. Conley received a verbal warning in January 2009 addressing her low accuracy scores, and Ms. Pruden received a similar warning in February 2009 also addressing her low accuracy scores. Ms. Conley and Ms. Pruden are both Caucasian.

Dated: Rocky Hill, Connecticut
December 9, 2011


CATHERINE SPERA